

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

OPTI INC.

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vs.

CASE NO. 2:07-CV-21-CE

APPLE, INC.

FINAL JUDGMENT

In accordance with the jury's verdict, which was reached on April 23, 2009, and the court's rulings on motions for summary judgment and judgment as a matter of law, the court renders the following judgment:

The court having determined that the defendant Apple, Inc. ("Apple") infringed claims 73, 74, and 88 of U.S. Patent No. 6,405,291 (the "'291 patent"); the jury having failed to find that any of the asserted claims are invalid; the court having found no willful infringement; it is ORDERED, ADJUDGED, AND DECREED that the plaintiff OPTi Inc. ("OPTi") have and recover from Apple a reasonable royalty of \$19,009,728 in actual damages. The court awards an additional \$2,696,974 in pre-judgment interest; the total award is \$21,706,702. The plaintiff is the prevailing party in this litigation, and the court awards costs to the plaintiff as the prevailing party. The court concludes that this case is not exceptional under 35 U.S.C. § 285 and denies any attorneys' fees request. The judgment shall bear interest at the lawful federal rate. This is a final judgment; all other pending motions are denied.

SIGNED this 3rd day of December, 2009.


CHARLES EVERINGHAM IV
UNITED STATES MAGISTRATE JUDGE